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Held at Headquarters, New York,
on Friday, 23 January 1998, at 3 p.m.

Chairperson: Ms. KHAN

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The meeting was called to order at 3 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial report of Croatia (continued) (CEDAW/C/CRO/1)

1. At the invitation of the Chairperson, Ms. Babić, Ms. Bortek-Knešaurek, Ms. Hrabrić, Ms. Karajković, Ms. Musulin and Ms. Šimonović, took places at the Committee table.

2. Ms. BABIĆ (Croatia), responding to questions about women's participation in political life, said that the initial report might have given the erroneous impression that women were under-represented in public and political life in Croatia. For the time being, no further data were available, but under the National Policy for the Promotion of Equality, the issue would be studied in cooperation with non-governmental organizations. Concerning the role of the media in promoting gender equality and activities for monitoring that role in the context of the Convention, she said that the situation had improved since the publication of the initial report. In educational programmes for youth and children, Croatian national radio and many private radio stations were addressing the issue within the context of the development of human rights and democracy and by comparison with various other European countries. Although the Government had no control over editorial policy, it supported such initiatives through its national machinery. She agreed that much remained to be done.

3. Concerning the elimination of stereotypes with regard to maternity protection, she said that the content of the initial report might have been misunderstood. Since more than 44 per cent of Croatian women were employed, legislation on maternity protection - which had been developed jointly with trade unions, whose membership included a large percentage of women - was very strong. However, current legislation also afforded protection to other persons of both sexes with family obligations. In any case, her Government would initiate a dialogue on the issue, based on the questions formulated by the Committee. In addition, the National Policy provided for the education and continuing education of women with a view to eliminating stereotypes in practice.

4. The Government did not have ethnically disaggregated data on social security, health care and welfare, since people were insured on the basis of employment, not ethnic background or national affiliation. At the insistence of the international community, it was now attempting to compile such data; however, in view of the special circumstances prevailing in Croatia, it was proceeding with caution.

5. No data were available on the participation of women in political parties and in the electoral system in general, including in the most recent elections. Croatia's electoral system had been based on proportional representation since the attainment of independence. All recent elections had resulted in a stable parliamentary majority with a sizable minority opposition, a balance which was crucial to the maintenance of stability in a country such as Croatia. Although

Croatia had had every reason to declare a state of emergency and suspend elections and the enjoyment of certain rights, it had not done so. The funding of election campaigns and the granting of leave from work to vote were designed to encourage both men and women to vote. The Government was open to a dialogue on how women's participation in the electoral system could be enhanced. Under the National Policy, a number of measures would be taken to compile statistics in that regard, which she hoped would be available by the time of Croatia's second periodic report.

6. Croatia had applied a quota system to the protection of minority rights, but with little success. While the general public did not support the use of quotas, the Government was open to suggestions in that regard.

7. Ms. ŠIMONOVIĆ (Croatia), responding to a request for more information on refugee and displaced women, said that the Convention applied to displaced persons and the Geneva Convention relating to the Status of Refugees applied to refugees. Under the Constitution, both instruments had higher status than national legislation. Croatia had also enacted a special law to protect the rights of refugees and displaced persons and had established an office which monitored their number and status. Such data were monitored systematically by the Office of the United Nations High Commissioner for Refugees and annual reports were sent to the United Nations. There were currently 287,000 displaced persons, refugees and returnees in Croatia; most of the refugees were from Bosnia and Herzegovina and most of the displaced persons were from Eastern Slavonia. Replying to a request for data on the organized accommodation of such persons, she said that they were living mainly in private accommodation, although some were still in holiday villages and apartments provided by the State.

8. Refugees and displaced persons received monthly allowances of 150 kune for rent and 100 kune per person for families without income. In addition, displaced persons, refugees and returnees comprising a separate category of persons with special needs (for example, the elderly and the sick) had been placed in special social welfare institutions. Data on refugees and displaced persons had not yet been collected; however, in 1994, gender-disaggregated data compiled in preparation for the Fourth World Conference on Women, had shown that 47 per cent of displaced persons were men and 53 per cent were women, while 41 per cent of refugees were men and 59 per cent were women. In view of that situation, the Government was inviting non-governmental organizations, which were very active in Croatia, to apply for funding for small-scale projects to assist refugees and returnees, while the Ministry of Reconstruction had launched a project for the reintegration of displaced persons in Croatian society.

9. With regard to women's organizations in Croatia, she said that, following the Fourth World Conference on Women, her Government had sought to establish better contacts with non-governmental organizations. Since the attainment of independence, women's organizations in Croatia had mushroomed. In cooperation with the United Nations Development Programme (UNDP), the Commission for Equality had contacted and compiled a register of more than 30 non-governmental organizations. In keeping with the Beijing Platform for Action, the Government was attempting to involve all sectors of civil society in the implementation of its National Policy for the Promotion of Equality, which had been formulated

with input from non-governmental organizations at every stage. Her delegation welcomed the Committee's decision to involve non-governmental organizations in its work, and, in particular, the presence of Croatian non-governmental organizations at the meeting.

10. Ms. BABIĆ (Croatia) said that no reliable gender-disaggregated data on poverty were available. Under the National Policy, infrastructure would be established for the compilation of such data. In 1993, the Government had promoted and implemented a special welfare programme for the poorest sectors of society, which included the granting of benefits and even the payment of rent and utility bills. By the end of October 1997, some 219,970 persons, equivalent to 4.6 per cent of the population, had benefited from that programme. Unemployed persons able to work accounted for 31 per cent of those beneficiaries; retired persons, 25 per cent; farmers, 5.3 per cent; and those who were unable to work, 23 per cent. Funding for the programme had been increased by 30 per cent in the 1998 budget. Moreover, under social welfare legislation which had become effective at the beginning of the year, 5 per cent of all local budgets must be earmarked for assistance to special groups, particularly the elderly. Thus far, $450 million kune had been spent on those target groups; a total of 1 billion kune was allocated to the programme. Poverty reduction was also being achieved through the peaceful reintegration of the Danube region. In 1997, more than 2,000 people, who had been at risk even before Croatia had taken control of the area, had been reintegrated in the social welfare system and the rights of old-age pensioners had been immediately recognized.

11. The social reintegration of women was a major concern of the Employment Office, which, between 1993 and 1996, had assisted 23,986 women. Within the framework of national employment policy, measures were being taken to improve economic development with a view to eliminating poverty. Data obtained from a recently completed survey of the workforce and a household income survey would form the basis for the further development of national employment policy. Lastly, many non-governmental organizations of self-employed and business women were cooperating with the Government in Croatia.

12. In response to the question whether the Commission for Equality was the only national machinery for the advancement of women, she stressed that membership of the Commission was very high-level. Although its budget was relatively small (approximately $50,000), that was sufficient to fund small-scale projects by non-governmental organizations. All government ministries worked with the Commission and allocated a portion of their budgets for projects designed to improve the situation of women. The Ministry of Labour and Social Welfare was supporting joint projects with non-governmental organizations for the protection of female victims of domestic violence and the establishment of shelters for them.

13. Ms. MUSULIN (Croatia), in response to the question whether Croatian legislation, with its strong emphasis on maternity protection, sufficiently covered non-mothers, stressed that maternity protection was only one aspect of a comprehensive social security system in which all women exercised all rights equally and had freedom of choice. If anything, strong maternity legislation,

which in Croatia was regulated by the Labour Law, ensured that women did not have to choose between work and family.

14. Replying to Ms. Ryel, she said that the right to special protection of mothers with children under the age of three, youth and the disabled was established in the Constitution. However, the relevant measures were non-binding and mothers were not required to take advantage of them.

15. Ms. BABIĆ (Croatia) said that the office of Ombudsman was a special institution reporting directly to Parliament. That position was currently filled by a woman. The Government was in favour of strengthening the role of the Ombudsman, but it had no plans to introduce a specific Ombudsman for women. A deputy Ombudsman had been appointed, however, with responsibility for women's rights and the rights of the child.

16. Ms. SIMONOVIĆ (Croatia) said that the national human rights machinery had in many cases incorporated a gender perspective into its activities, even though those activities were mainly set in the broader context of human rights. Women were indeed included in the term "citizen" in the Constitution and, in fact, in an amendment made in December 1997, the term "citizen" in article 114 had been replaced by "every person and citizen", in order to facilitate Croatia's ratification of the European Convention on Human Rights and bring the Constitution in line with the language used by the Council of Europe.

17. Replying to Ms. Abaka, she said that the Convention was not invoked directly before the national courts since its provisions were incorporated into Croatian legislation. Other international agreements had been invoked before the Constitutional Court, however.

18. Ms. BORTEK-KNEŠAUREK (Croatia) said that the non-governmental organization which monitored population movements was among the many which received government funding.

19. With regard to article 3 of the Convention, special care was taken to integrate women with special needs into the overall education, health and social services systems. Education, training and care for the disabled were available in both institutional and non-institutional settings. Students with special needs attended the national universities in significant numbers. The State institute dealing with the protection of the family, motherhood and youth cooperated closely with non-governmental organizations concerned with the needs of the disabled. Accessible building design and the removal of architectural barriers was one area where the Government saw a need for improvement. Lastly, a Government commission for people with special needs had been established in April 1997.

20. Ms. BABIĆ (Croatia) replying to a number of questions on the national machinery for women's rights and the development of civil society, said that the Commission for Equality had established an advisory body of non-governmental organizations, with which it had undertaken many joint projects for the development of civil society. The Government was aware that it had much to learn from such organizations and that the future of Croatian society must be based on consensus and cooperation.

21. With regard to article 7, the Commission for Equality had been in the process of being established at the time of the most recent elections, and thus had not played a role in the elections. The latest data from national sources and the United Nations indicated a modest advance in the participation of women in the electorate and in decision-making positions, but much more could be done.

22. Ms. SIMONOVIĆ (Croatia), referring to article 5, said that the Commission for Equality had established a programme for the abolition of gender stereotyping which included specific targets and time-frames. Six new measures had been introduced, in conjunction with the Ministry of Education and Sports and the Ministry of Science, establishing programmes in human rights education, equality in family life and civics education, among other areas.

23. Ms. KARAJKOVIĆ (Croatia) said that a 1995 government proposal provided for special assistance to families with four or more children. Under that proposal, either the mother or the father would be able to decide to stay at home and care for the children and would receive a government income subsidy. That was a matter of personal choice, however, and only the 42-day postpartum leave period would be mandatory. The proposed measures were awaiting final adoption, however, and had not begun to be implemented.

24. In answer to questions on domestic violence, she said that the Penal Law criminalized marital rape. The victim in such proceedings was represented ex officio by the State attorney, but under a recent change in the Law, proceedings could be instituted on the motion of the injured party. Stereotypes in that area were still strong, however, and legal remedies to the problem of domestic violence were still difficult to apply. A woman who had been forced out of her home retained all her property rights, although she might face urgent financial need. In some cases, non-governmental organizations provided assistance to women in crisis situations, while in others, women were aided through the recently established Centre for Social Welfare, which received funding from the State. Replying to Ms. Acar, she said that victims did not yet have the possibility of obtaining a restraining order against their abusers.

25. Ms. MUSULIN (Croatia), replying to questions on article 5, said that there was no specific group within the Commission for Equality which dealt with women's image in the mass media. Government policy sought to influence the overall climate with regard to equality, and that would, in turn, have an effect on the media. The Commission made use of the media to publicize its activities and to condemn violence against women.

26. The activities of non-governmental organizations were especially important because such organizations had direct contact with victims of violence. A mechanism was being set up whereby such organizations would share their expertise in that area with social workers. In addition, the observance of a national day to raise awareness of violence against women had received extensive media coverage.

27. Lastly, women's rights were part of the human rights education curriculum that was being introduced in schools.

28. Ms. KARAJKAVIĆ (Croatia) said that, according to the principle of neutrality, Croatian law drew no distinction between male and female crime victims. The judiciary was independent and autonomous, and each judge made the decision on aggravating circumstances for both women and men. It was assumed that all factors which made a woman's position in society more difficult than a man's would be taken into account. She agreed with several Committee members that the focus should be on the prevention of violence, and that punishment was only part of the solution.

29. The only criminal act that could be prosecuted in a civil case was the offence of minor bodily injury. In such cases, women usually qualified for free legal aid from either the Government or non-governmental organizations. The penalty for "intercourse by abuse of power" was imprisonment for a term of three months to three years; in its aggravated form, namely, where the victim was a child or a minor between 14 and 18 years of age, a five-year sentence could be imposed. A special penal provision covered the crime of incest, for which a penalty of either a fine or imprisonment was imposed.

30. Ms. BORTEK-KNEŠAUREK (Croatia) said that parents could choose to care for their children full-time; that was a matter of personal choice. Victims of domestic violence and rape were represented in court proceedings by State attorneys. Under the new Penal Law, women could opt for legal protection. If victims of domestic violence were forced to leave home, they did not lose their property rights or custody of their children. Non-governmental organizations provided such women with financial or material assistance. Victims of domestic violence were also assisted by social welfare agencies. No provision had been made under the law for restraining orders. However, the Ministry of Justice was looking into the possibility of introducing such a measure.

31. Ms. MUSULIN (Croatia) confirmed that there was no special group within the Commission for Equality which dealt specifically with the media. The Commission's long-term goal was to use the media as a vehicle for disseminating its activities, especially those relating to the elimination and condemnation of violence against women, and for promoting gender equality. Members of the Commission often appeared in the media to promote the fight against gender discrimination. The fact that there were many women professionals at even the highest levels was of considerable help in that endeavour.

32. In view of the special importance of the activities carried out by non-governmental organizations which were in direct contact with women victims of violence, the National Policy for the Promotion of Equality included an undertaking by the Commission to support all initiatives by women's groups and non-governmental organizations aimed at eliminating violence against women and disseminating information on the assistance available. To that end, it had been agreed that non-governmental organizations would share their expertise with social welfare services, and would set up jointly with those services, by June 1998 at the latest, programmes to assist women victims of violence.

33. Human rights education, including education on women's human rights, was being introduced into the curricula of schools throughout Croatia. The Ministry of Education and Sports and the Ministry of Science, together with the Commission for Equality and the National Commission for Human Rights Education,

were developing educational programmes on gender equality as part of human rights education.

34. Ms. KARAJKOVIĆ (Croatia) said that judges ruled on cases of violence against women on the basis of aggravating circumstances. She agreed that the focus should be on prevention, of which penalties and punishment were just one aspect. Proceedings in cases of marital rape were brought by State attorneys at the request of the injured party. Penalties for sexual abuse by an authority figure and aggravated abuse where the perpetrator was a teacher or parent, ranged from three months to three years in prison, or up to five years when the victim was a minor. Incest was regulated by article 198 of the Penal Law and was punishable by up to one year in prison. When the victim was a minor, the penalty was six months to five years' imprisonment; when the victim was a child, the penalty could be up to eight years in prison.

35. Ms. BORTEK-KNEŠAUREK (Croatia) said that, owing to the war and the special circumstances faced by Croatia in recent years, it had not been possible to develop a special network of shelters for battered women. However, in that regard, a large number of non-governmental organizations played a major role and the Government offered them as much financial assistance as possible. Since what the Government had done so far was not enough, the National Policy for the Promotion of Equality was now emphasizing the need for better cooperation between the Government and non-governmental organizations.

36. Ms. MUSULIN (Croatia), referring to article 10, said that there were no restrictions with regard to gender equality in the education system. Both sexes had the same curriculum and took the same examinations. Textbooks that stressed the traditional role of women had been changed at all levels of education. The Ministry of Education and Sports was to give both male and female primary and secondary school teachers training in gender awareness and gender discrimination.

37. Ms. SIMONOVIĆ (Croatia) said that the Programme on Protection and Help for the Victims of Maltreatment had been adopted in order to coordinate various forms of assistance, especially psychological and legal counselling and health care, for female refugees who had been victims of rape and violence. The issue of international adoptions had been raised following the widespread rape that had occurred during the war. However, since the number of women who had given birth as a result of those circumstances had been low, her Government and the Government of Bosnia and Herzegovina had restricted international adoption and given priority to Croatian or Bosnian nationals who wished to adopt. Women refugees had been given the option of putting up their children for adoption. The legislation of Bosnia and Herzegovina had been applied in cases of international adoption. Data for 1992 showed that 29 women whose pregnancies had been the result of rape had undergone abortions in Zagreb hospitals. The National Policy for the Promotion of Equality provided for non-governmental organizations to collect data on women who had been the victims of violence during the war.

38. Ms. BORTEK-KNEŠAUREK (Croatia) said that cooperation between the Government and non-governmental organizations should be expanded in order to better assist

victims of rape and violence, as envisaged under the National Policy for the Promotion of Equality.

39. Ms. SIMONOVIĆ (Croatia) acknowledged that a considerable number of women refugees and internally displaced persons had been exposed to various forms of abuse on the part of the armed forces during the armed conflict. However, since the end of the conflict, no cases of systematic abuse of women had been reported. Croatia was now taking care of 287,000 returnees, displaced persons and refugees, the latter mainly from Bosnia and Herzegovina. The human rights situation in her country was being monitored systematically by the United Nations. A number of incidents of violence against returning refugees had been recorded, but they had been isolated cases to which the Croatian authorities had responded immediately by apprehending and punishing the perpetrators. The large number of missing persons in Croatia remained a major problem. Thus far, efforts to determine the fate of missing family members had been unsuccessful.

40. Ms. KARAJKOVIĆ (Croatia) said that, under the new Penal Law, grievous bodily harm cases were prosecuted by the State attorney at the request of the injured party. Under article 99, paragraph 1, the prison term for offenders had been amended from up to six months to between three months and three years. That was because the Penal Law had been updated in response to suggestions made by the Council of Europe. In cases of minor bodily harm where proceedings were brought at the request of the injured party, the latter could either be represented by a non-governmental organization or could seek free legal assistance under the so-called "poverty law".

41. Ms. BORTEK-KNEŠAUREK (Croatia) said that, for the first time since 1986, a positive birth rate had been recorded. It was understandable that the Government had taken measures to boost the birth rate, but women were free to accept or reject those measures. Parents had an equal right to be involved in their children's upbringing.

42. Ms. BABIĆ (Croatia) said that the report, the oral presentation and the composition of the Croatian delegation to the Committee demonstrated her Government's political will to eliminate gender stereotypes. The Government would investigate allegations that pressure had been put on women workers to sign contracts pledging not to become pregnant for five years following their recruitment. Any such contract was invalid under the Labour Law. The Government in cooperation with trade unions, would try to establish mechanisms to protect women in that regard. If such cases were brought before the courts, both non-governmental organizations and trade unions could represent the women involved.

43. Ms. KARAJKOVIĆ (Croatia) said that women probably did not report all sex crimes because of the social stigma involved. That was a matter which needed to be addressed, but the stigma was gradually disappearing as an increasing number of women reported such crimes. The classification of sex crimes as gender-neutral was based on the Council of Europe model.

44. With regard to article 6, traffic in women was punishable under articles 177 and 178 of the new Penal Law. The penalty for transboundary illegal traffic in one or more persons was a fine or up to one year in prison. In its

aggravated form, the crime carried a prison sentence of six months to five years. The penalty for international prostitution was three months to one year in prison, and one to 10 years in prison when it involved a minor, even if the perpetrator had no prior criminal record. Procurement for purposes of prostitution was punishable, under article 195 of the Penal Law, by a fine or up to one year in prison. Coercion or force increased the sentence to up to three years, while cases involving a minor or a child carried a prison sentence of up to 10 years.

45. Rape of prostitutes was not covered by the provisions on criminal rape. The Ministry of the Interior monitored the traffic in women, with assistance from INTERPOL. Non-governmental organizations were also active in that area. Prostitutes seeking to abandon the profession could request assistance from the police and obtain free advice from non-governmental organizations and the authorities. The Government was helping to fund non-governmental organizations working in that area; the Commission for Equality would continue to develop such cooperation and to promote mechanisms that would assist such women in their fight against discrimination. No reliable statistical data were available on the traffic in women, but such data would be gathered and maintained from 1998 onwards.

46. Of the 25 judges on the Supreme Court, 10 were women. In 1997, 39 per cent of all lawyers (627 out of a total of 2,133) had been women, and five of the 30 members of the Bar Council's Managing Board had been women. The percentage of female State attorneys in 1997 had been as follows: 52 per cent at the municipal level, 35.5 per cent at the county level and 42 per cent at the State level.

47. Ms. MUSULIN (Croatia), referring to article 7, said that there were no specific programmes to educate women for leadership roles in political life in general or at the grass-roots level in particular. However, civic education in schools provided a good grounding in the rights, responsibilities and opportunities that existed in that area. The Government would consider the recommendations made by the Committee on that matter and the possibility of developing such programmes.

48. Women were heavily involved in all trade union activities, because of the high participation of women (40 per cent) in the workforce. Croatia was also a party to the relevant International Labour Organization (ILO) conventions. Women held high leadership positions at all levels of the trade union movement. They were also involved in tripartite labour bodies at all levels. The entire labour sphere in Croatia was dominated by women, and the Deputy Minister for Labour and Social Welfare was a woman. Trade unions also cooperated with non-governmental organizations concerned with the advancement of women. For all those reasons, she saw no need to implement any special measures to increase women's participation in the trade union movement.

49. Ms. BABIĆ (Croatia) said that, without any serious research, her delegation could only speculate as to why women apparently failed to make sufficient use of the opportunities open to them. The legislation granting special privileges to women who bore a certain number of children was really meant to help people with family obligations. Croatia was not unique in that regard. Through the Council

of Europe, her Government was trying to find out why there had been a decline in the participation of women in public life.

50. Ms. MUSULIN, referring to article 10, said that measures to increase the number of female school principals were included in the National Policy for the Promotion of Equality. The Ministry of Education and Sports, in cooperation with school principals, associations and trade unions, had undertaken to introduce measures within two years to achieve an appropriate proportion of women principals and to keep the Commission for Equality regularly informed about appointments of principals as to gender. Educational advisers had to have a university degree and teaching experience in their field and were appointed by the Ministry of Education and Sports. The Minister for Education and Sports was the only female minister in the Government. In the report, a table showing the number of male and female university lecturers had been left out. Of 6,073 university lecturers, 2,138 were women; although there were no data on the subject which they taught, they were working in all faculties and fields.

51. The Commission for Equality felt that the changes made to textbooks to remove stereotypes (para. 46) had not been sufficient. The Ministry of Education and Sports had been given the task of developing new curricula and textbooks to promote gender equality and encourage their use, in cooperation with publishers, teachers and parents.

52. Women's studies as such had not been introduced in schools, but the Government might consider introducing that subject as an elective. An independent body, the Institute for Women's Studies, was cooperating with the Commission for Equality.

53. Ms. BABIĆ (Croatia) said that the removal of stereotypes from children's books was not under the direct jurisdiction of the Ministry of Education and Sports. However, through incentives and subsidies, the Government could influence editorial policy. The Ministry of Culture had allocated funds for that purpose.

54. Ms. BORTEK-KNEŠAUREK (Croatia) said that there was no illiteracy in Croatia, because everyone had the same rights and obligations with regard to education. The entire nation was literate, including people living in the remotest rural areas.

55. Ms. MUSULIN (Croatia), referring to article 11, said that women made up about 44 per cent of the total active workforce. No data were compiled on part-time employment. There was legal provision for part-time workers, however, and they had the same rights as full-time workers. Both women and men had the right to work part time, but that right stemmed from the right to protection of certain categories of workers, such as the disabled. Such persons worked half the normal working hours, and received pay for the hours worked and compensation for the remaining hours. The Labour Law did not allow for the possibility of working without a contract, so there were no data on work performed by women in the home; the data on self-employed women did not distinguish between work done in the home and that done outside.

56. On the question of programmes to assist unemployed women, Croatia was a party to ILO Convention No. 122 and was taking active measures to promote employment. According to data from the Employment Office, in 1996, about 30 per cent of beneficiaries, or 23,986 persons, had been women.

57. Under article 82 of the new Labour Law of 1995, employers were required to pay equal pay for work of equal value. The Commission for Equality, in conjunction with trade unions, had undertaken to investigate the system of employment over the next three years and to establish what constituted work of equal value.

58. The ban on overtime and night work for women workers with children under the age of two pertained to the old law, which had been concerned mainly with heavy industry. As had been mentioned in the oral report, there was now a new Law on Protection at Work, under which all sectors other than heavy industry, including the health care industry, were exempted from the ban. The new Law had been drawn up with the agreement of trade unions and other social partners, which would have to be consulted if any amendments were made. The purpose of the Law was to protect women with family responsibilities who could not fulfil their contractual obligations because they were unable to work at night. Women had to be adequately paid for night work and given proper protection when working at night. Overtime of more than 10 hours a day was prohibited for all workers, not just women. Pregnant women, women with children under the age of two and single mothers with children under the age of three could be exempted from overtime and night work, at their express request; overtime and night work were therefore left to their discretion. All workers working at night were protected by collective labour agreements, with the result that women and men were protected equally and there was no patriarchal mechanism involved.

59. Ms. HRABRIĆ (Croatia), referring to article 12, said that since the report had been prepared, the principle of equal funding for health care in the entire territory had been implemented. The organization of preventive health care had been improved through the establishment of the Institute of Public Health, and environmental protection, health and nutrition had been strengthened. Centres for particular diseases, such as HIV/AIDS, diabetes and tuberculosis, had been set up. The programme "Health for all by the year 2000" had been instituted; its goals would contribute to the overall advancement and improvement of health care.

60. The health care system was part of the social welfare system and was financed by contributions from insured persons, plus additional funds from county budgets in the case of people over the age of 65. The system of compulsory health insurance covered almost the entire population and access to the insurance system was open to everyone, whether employed, retired, unemployed, a family member of an insured person or a person at risk. All insured persons were entitled to receive primary, specialized and hospital care, as well as dental and pharmaceutical services. Approved drugs were available free of charge. Because of the war and financial problems, funding had been cut by half, from about US$ 2 billion to about US$ 1 billion. Naturally, that had led to a rationalization of the health care system; the list of drugs provided free of charge had been reduced, although drugs for serious diseases were still

free. Oral contraceptives were free when prescribed for hormone therapy, and abortion was funded when medically justified.

61. There were no separate categories of insurance for men and women because the system of compulsory health insurance covered almost the entire population of Croatia. Thus, it was not possible to provide statistics on the number of women not covered by insurance. There was no difference between men and women in terms of how the status of insured persons was acquired; either spouse could acquire that status through the other spouse. All rights to health care applied to all insured persons; the standard was exactly the same for everyone.

62. Unfortunately, the Law on Health Insurance did not provide for leave for taking care of elderly persons. It did provide for the right to care for a child in the same household or for a spouse; in the case of children, the duration of the leave was determined by the age of the child. For a child up to the age of seven, leave of 12 to 30 working days could be taken, depending on an assessment by a medical practitioner. For a spouse, or a child over the age of seven, the allowance was 6 to 14 working days. Recent changes to the Law had increased the leave allowance for children under the age of 18 beyond 14 days. There were other mechanisms for the protection of the elderly.

63. Ms. BABIĆ said that, according to the 1991 census, some 13.1 per cent of the population were over 65 years of age; life expectancy for women was 75.8 years, compared with 68.2 years for men. The population over the age of 65 was 34.3 per cent male and 65.7 per cent female. Since an increase in the number of elderly women was anticipated, they would need special support and assistance. There was a very high level of institutional and non-institutional care for the elderly. Almost 80 per cent of people in retirement homes were women; the Ministry of Social Welfare subsidized those institutions. As a result of the war, many elderly people had lost the support of family members who had been killed or disabled. The Government was paying special attention to the subject. Although there was no compensation for persons taking leave to look after elderly family members, certain benefits available, including subsidies for nursing services. The Government would give serious consideration to providing special benefits to family members or third parties who took care of elderly persons; such services also provided job opportunities.

64. Ms. HRABRIĆ (Croatia) said that displaced persons and refugees were fully insured. Refugees received emergency health care, encompassing a wide range of medical services.

65. According to information from the Institute of Public Health, the leading causes of death for both men and women were diseases of the circulatory system and malignant neoplasms. In women, circulatory diseases accounted for 50 per cent of deaths, and malignancies, 17.3 per cent.

66. Between 1986 and 1996, only 108 cases of AIDS had been registered, involving 17 women and 91 men. Of that number, 66 had died, but that figure was not gender-disaggregated.

67. Women's health services were available throughout Croatia. They were organized at the primary level, where, according to the most recent data, there were 171 full-time and 32 part-time medical teams, with specialists in gynaecology and nursing. Treatment and preventive services were available, especially in relation to pregnancy and family planning. In 1996, there had been 76,760 visits to such services, and there had been 52,896 prescriptions for oral contraceptives. An abortion cost about US$ 170. Oral contraceptives were free when prescribed as hormone therapy; intra-uterine devices cost about $20 and diaphragms about $25. According to data from the Institute of Public Health, there had been 19,643 abortions in 1996, of which 12,339 had been legally induced abortions; the figures were the lowest recorded. As to changes in the abortion law, the 1976 law was still in force; a new law was being formulated, which would be based on the same principles and would include provision for mandatory counselling before the termination of pregnancy. Cases of doctors refusing to perform abortions on moral grounds were few and far between; the most recent case had occurred over a year previously, in Split. The Ministry of Health had acted very quickly and had warned the hospital concerned that it must provide all forms of gynaecological services, including abortion, or risk losing its status.

68. All women had access to gynaecological care, because medical insurance was available to everyone. Medically induced abortions and infertility treatment were funded under the health insurance system, but there were no reliable data on the level of funding. Women were entitled to three courses of infertility treatment; about 2,000 women a year received such treatment.

69. Ms. BORTEK-KNEŠAUREK said that, on the question of medical research, she could mention two projects which were currently underway, one on the protection of the reproductive health of female students, which was being carried out at all universities, and one on self-examination for the early detection of breast cancer, which was being conducted in conjunction with the media. There was a great deal of cooperation between the Government and non-governmental organizations in the implementation of health research programmes, and local government and administrative bodies were also allocating funds to assist in the implementation of such programmes.

70. There were no reliable data on teenage pregnancy, although there were data on teenage abortions: in 1996, there had been 7 abortions in the 13-14 age group, 83 abortions (0.42 per cent of pregnancies) in the 15-16 age group, and 892 abortions (4.52 per cent of pregnancies) in the 17-19 age group. On the question of confidentiality, since abortion was minor surgery, the doctor was obliged to ask for informed consent from the patient, and in the case of a minor, consent had to be given by a parent or guardian.

71. With regard to substance abuse, according to data from 1994, in that year the ratio of male addicts to female addicts had been 5 to 1; the total number of drug addicts had been 6,000, including 3,500 addicts to "recreational" drugs and about 300 cocaine addicts. The data for 1997 showed an increase to about 8,000 addicts; however, persons registered as addicts were those who had sought help or had been apprehended for criminal activities. There was a government body, the Commission for the Prevention and Elimination of Addiction, about 60 per cent of whose members were women. There were no reliable data on alcohol

abuse and smoking, but far fewer women than men were involved; however, over the past 10 years there had been a significant increase in the number of women alcoholics. There was very good cooperation between the Government and non-governmental organizations in that regard.

72. Ms. BABIĆ, referring to article 14, said that there were no specific data on rural women; however, the Commission for Equality was not satisfied with the scope of activities to promote the economic independence of rural women. Some very good programmes had been implemented recently, for instance through the Ministry of Agriculture, but the gender perspective had not been sufficiently included. Rural women were no different from other women in terms of social welfare and health.

73. Ms. BORTEK-KNEŠAUREK, referring to article 16, said that counselling in the area of family relations was available free of charge in social welfare centres. Many non-governmental organizations and religious groups provided counselling services to women and men. There were also courses and seminars, and non-governmental organizations played a very important role in dealing with such issues. City and provincial authorities were active in voluntary activities in that regard. However, much remained to be done to improve the work being done in the area of family relations and to advance the status of women.

74. Ms. BABIĆ said that the Committee's questions would encourage her Government to give further attention to the rights of women. It would never be fully satisfied and would always try to do better; there was a strong desire on the part of the Government and the general public in Croatia to contribute to the overall development of civil society, especially in respect of human rights and the rights of women.

The meeting rose at 5.55 p.m.